

Joseph R. Saveri (SBN 130064)  
Brendan P. Glackin (SBN 199643)  
Andrew S. Kingsdale (SBN 255669)  
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP  
275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
Telephone: (415) 956-1000

Merrill G. Davidoff (Admitted *Pro Hac Vice*)  
Bart D. Cohen (Admitted *Pro Hac Vice*)  
Michael J. Kane (Admitted *Pro Hac Vice*)  
BERGER & MONTAGUE, P.C.  
1622 Locust Street  
Philadelphia, PA 19103  
Telephone: (215) 875-3000

*Co-Lead Counsel for Plaintiffs*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re ATM FEE ANTITRUST  
LITIGATION

Master File No. C04-2676 CRB

**CLASS ACTION**

**STIPULATION AND ~~PROPOSED~~ ORDER  
CONTINUING A HEARING CURRENTLY ON  
CALENDAR**

This Document Relates To:  
  
ALL ACTIONS

The Honorable Charles R. Breyer

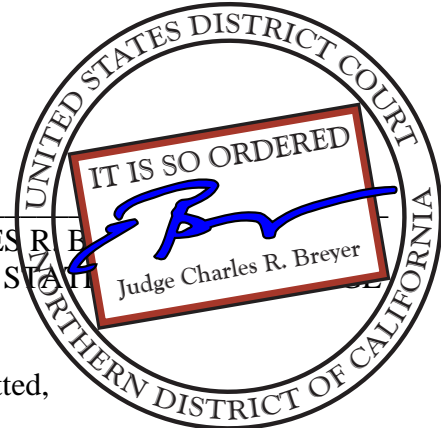
1 WHEREAS the parties have scheduled a mediation for February 26, 2010, the  
2 date of the previously scheduled hearing on the pending motions to dismiss;

3 IT IS THEREFORE ORDERED that the pending hearing on February 26, 2010,  
4 shall be taken off calendar. The parties shall determine a mutually agreeable civil law and  
5 motion date on which to re-schedule the hearing. When that date has been determined, the  
6 parties shall notify the Court.

7 SO ORDERED.

8  
9 Signed: February 22, 2010

10 CHARLES R. BREYER  
11 UNITED STATES DISTRICT COURT



12 Dated: February 19, 2010

13 Respectfully Submitted,

14 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

15 By: /s/ Joseph R. Saveri  
16 Joseph R. Saveri

17 Joseph R. Saveri (SBN 130064)  
18 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP  
19 275 Battery Street, 30th Floor  
20 San Francisco, CA 94111-3339  
21 (415) 956-1000

22 Merrill G. Davidoff (Admitted *Pro Hac Vice*)  
23 Bart D. Cohen (Admitted *Pro Hac Vice*)  
24 Michael J. Kane (Admitted *Pro Hac Vice*)  
25 BERGER & MONTAGUE, P.C.  
26 1622 Locust Street  
27 Philadelphia, PA 19103  
28 (215) 875-3000

*Co-Lead Counsel for Plaintiffs*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

MORRISON & FOERSTER LLP

By: /s/ Robert S. Stern

Robert S. Stern

Robert S. Stern  
Gregory B. Koltun  
Sylvia Rivera  
555 West Fifth Street, Suite 3500  
Los Angeles, California 90013-1024  
Telephone: (213) 892-5200  
Facsimile: (213) 892-5454

W. Stephen Smith  
2000 Pennsylvania Avenue, NW, Suite 5500  
Washington, D.C. 20006-1888  
Telephone: (202) 887-1500  
Facsimile: (202) 887-0763

*Attorneys for Defendant JPMorgan Chase Bank, N.A.,  
Successor-in-Interest to Bank One, N.A.*

ORRICK, HERRINGTON, & SUTCLIFFE, LLP

By: /s/ Deborah Croyle

Deborah Croyle

Stephen V. Bomse  
Deborah Croyle  
The Orrick Building  
405 Howard Street  
San Francisco, CA 94105-2669  
phone: (415) 773-4145  
fax: (415) 773-5759

*Attorneys for Defendant SunTrust Banks, Inc.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

HOWREY LLP

By: /s/ Brian D. Wallach  
Brian D. Wallach

Peter E. Moll  
Brian D. Wallach  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
phone: (202) 783-0800  
fax: (202) 383-6610

*Attorneys for Defendants Concord EFS, Inc. and First Data Corp.*

LATHAM & WATKINS LLP

By: /s/ Joshua N. Holian  
Joshua N. Holian

Daniel M. Wall  
Joshua N. Holian  
Katie Chang  
505 Montgomery Street  
Suite 1900  
San Francisco, CA 94111  
phone: (415)395-8101  
fax: (415) 395-8095

BAKER & MILLER  
Donald I. Baker  
2401 Pennsylvania Avenue, N.W., Suite 300  
Washington, DC 20037  
phone: (202) 663-7820  
fax: (202) 663-7849

*Attorneys for Defendants Wells Fargo & Co., Wells Fargo Bank N.A. and Servus Financial Corp.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COVINGTON & BURLING LLP

By: /s/ Kelly P. Finley  
Kelly P. Finley

Sonya D. Winner  
Anita Stork  
Kelly P. Finley  
One Front Street, 35th Fl.  
San Francisco, CA 94111  
phone: (415) 591-6000  
fax: (415) 591-6091

*Attorneys for Defendant Bank of America N.A.*

SIDLEY AUSTIN LLP

By: /s/ David F. Graham  
David F. Graham

DAVID F. GRAHAM (admitted *pro hac vice*)  
ERIC H. GRUSH (admitted *pro hac vice*)  
One South Dearborn  
Chicago, Illinois 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

MENESH S. PATEL  
555 California Street  
San Francisco, CA 94104  
Telephone: (415) 772-1200  
Facsimile: (415) 772-7400

*Attorneys for Defendants CITIGROUP, INC.,  
CITIBANK, N.A., and CITIBANK (WEST), FSB*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

REED SMITH LLP

By: /s/ Jack R. Nelson

Jack R. Nelson

Jack R. Nelson  
Jennifer Brady  
Two Embarcadero Center, Suite 200  
San Francisco, CA 94111  
phone: (415) 543-8700  
fax: (415) 391-8269

*Attorneys for Defendants Wachovia Corporation and  
Wachovia Bank, N.A.*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

STIPULATION AND [PROPOSED] ORDER